

15 - 0715 JMC

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SW

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, John Van Wie, being first duly sworn, do hereby depose and state that I am a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), assigned to the Resident Agent in Charge in Ocean City, Maryland. I have been so employed since May 2003. As part of my daily duties as an HSI agent, I investigate a wide variety of criminal offenses, including criminal violations relating to identity theft, in violation of 18 U.S.C. § 1028, and access device fraud in violation of 18 U.S.C. § 1029(a)(1), (2) and (5). I have received training in the area of identity theft and fraud. During the course of my duties, I have been the investigating officer and affiant of multiple applications for search warrants relating to identity theft and fraud. I have also participated in the planning and execution of several search warrants and arrest warrants involving various types of identity theft and fraud. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. The information contained in this affidavit is based, in part, on my first-hand knowledge, and also on information given to me by other law enforcement agencies.

Statement of Probable Cause

1. Based on the facts set forth in this affidavit, I believe that there is probable cause to believe that **Alfred MUSA and Abubakah Chiko KROMAH** have committed access device fraud, in violation of 18 U.S.C. § 1029(a)(1), (2) and (5), and aggravated identity theft in violation of 18 U.S.C. § 1028A.

2. **Alfred MUSA** is currently on supervised release with U.S. Probation and Parole in Greenbelt, Maryland after being released from prison for a 2010 conviction for conspiracy to commit access device fraud. **MUSA** has a lengthy criminal history with numerous arrests for

possession of weapons, possession of marijuana, wire fraud, aiding prisoner escape, conspiracy to commit access device offenses, possession with intent to distribute cocaine, possession of an unregistered firearm, theft, fraud, fraud per identity info theft, robbery, assault, malicious destruction of property, and credit card fraud.

3. **Abubakah Chiko KROMAH** is currently on supervised release with U.S. Probation and Parole in Greenbelt, Maryland after being released from prison for a 2012 conviction for bank fraud out of the District of New Hampshire. **KROMAH** has a lengthy criminal history including arrests for possession of CDS, obtain money through false pretenses, handgun in vehicle, possession of a firearm with an altered ID number, CDS possession with intent to distribute and bank fraud. **KROMAH** has at least one conviction for possession of CDS, obtain money through false pretenses and bank fraud.

Background Information

4. On or about March 27, 2015, your Affiant was contacted by Detective K. Simms of the Maryland State Police related to a complaint that two suspects stole the identity of an individual with the initials of MCS (W/M born in 1972). Detective Simms provided the following information.

5. Detective Simms interviewed MCS who advised that at approximately 1605 hours on March 24, 2015, he received three pieces of mail from Synchrony Bank. The mail contained information indicating possible fraudulent activity relating to a credit card opened in his name with Lowes Home Improvement. After reviewing the notices, MCS contacted Synchrony Bank by telephone and confirmed that he did not personally open the Lowes credit card or make any purchases at the Lowes store using the credit card. MCS also contacted Lowes and was made aware of a number of fraudulent charges that had been made to the credit card.

6. Detective Simms contacted Lowes loss prevention and gathered specific information about the fraudulent card and the associated charges placed on the card. Lowes associates stated that on March 13, 2015, a black male entered the Lowes located at 6650 Ritchie Highway, Route 2, Glen Burnie Maryland and completed an application for a credit card. The application made by the suspect was made in the name of the victim, MCS. The suspect provided a Maryland identification card that displayed MCS's name, address, and physical characteristics, but displayed the photograph of the suspect and not of MCS. The driver's license number on the identification was checked through Maryland Motor Vehicle records and was found to be a fictitious soundex. The application was signed by the suspect and a temporary card was given to him to use. Lowes loss prevention provided video surveillance of the individual who fraudulently opened the account.

7. Lowes loss prevention associates advised that there were 6 transactions made on the fraudulent card in the name of MCS as follows:

Date of Transaction	Location of Transaction	Amount of Transaction
March 13, 2015	Lowes 6650 Ritchie Highway Glen Burnie, Maryland	\$500
March 13, 2015	Lowes 14300 Baltimore Avenue Laurel, MD	\$3,000
March 13, 2015	Lowes 415 George Clauss Blvd Severn, MD	\$4,000
March 13, 2015	Lowes 415 George Clauss Blvd Severn, MD	\$3,500

Date of Transaction	Location of Transaction	Amount of Transaction
March 16, 2015	Lowes 7500 Broken Branch Lane Manassas, VA	\$3,500
March 16, 2015	Lowes 13856 Metrotech Drive Chantilly, VA	\$5,500

8. Because of the suspicious nature of the transactions at the Lowes store in Manassas Virginia, loss prevention associates made contact with the suspect who was using the fraudulently obtained credit card while still in the store. The suspect provided a Maryland Driver's license bearing his photograph and containing the personal information of the victim, MCS.

9. Lowes loss prevention provided video surveillance photographs of the subjects who opened the account and made the above transactions. This footage indicates up to four different individuals were involved in opening the account under MCS's identity and making the above transactions. Investigative efforts are continuing to obtain all video surveillance related to these transactions and identifying all the subjects involved.

10. Lowes loss prevention was also able to obtain video surveillance of the vehicle that the suspects entered and left the scene in during one of the fraudulent transactions. This surveillance video shows the vehicle to be a white 2013 Ford Taurus with Florida registration "882XRE". Law enforcement record checks indicated this vehicle is a Hertz rental vehicle. Detective Simms spoke to a Hertz employee who stated that the vehicle was currently rented by a female.

11. When the initial suspect fraudulently opened the Lowes credit account on March 13, 2015 under the identity of MCS, the suspect listed telephone number 410-206-1471 as a contact number on the application. Lowes loss prevention conducted a database check of 410-206-1471

and found that this number called the Lowes credit information line over 140 times from February 24, 2015 to March 26, 2015 to inquire about 15 different Lowes credit accounts opened under 12 different individual's identities. All of these accounts have been determined to have been opened fraudulently or used fraudulently.

12. Investigation is ongoing to identify the total loss related to these accounts and these victims. Preliminary investigation has revealed over \$100,000 of loss directly related to these accounts and these victims at various Lowes stores.

13. On March 26, 2015, MCS contacted Detective Simms and advised that he just received two phone calls indicating that individuals were currently attempting to open additional fraudulent credit accounts at Nordstrom and Macy's located at the Christiana Mall in Delaware.

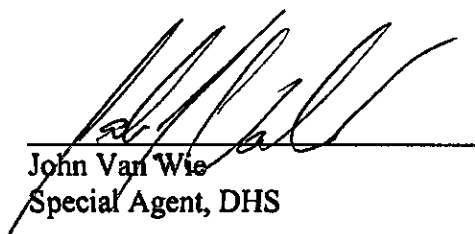
14. Detective Simms contacted the Delaware State Police who located the vehicle and initiated a vehicle stop. The occupants of the White Ford Taurus were identified as Abubakah Chiko **KROMAH** (B/M, born in 1983), and Alfred **MUSA** (B/M, born in 1987). Both occupants were placed under arrest for the attempted theft of MCS's identity in the State of Delaware. Receipts from Lowes stores and numerous gift cards from Lowes were found in the vehicle as was a receipt for an application for a Nordstrom credit card displaying the name of MCS. A vehicle rental receipt was also found indicating the car was a Hertz rental vehicle that was rented by a female on March 13, 2015.

15. A review of video surveillance from Lowes on March 13, 2015 at Laurel, Maryland shows an individual matching the description of **KROMAH** using MCS's card.

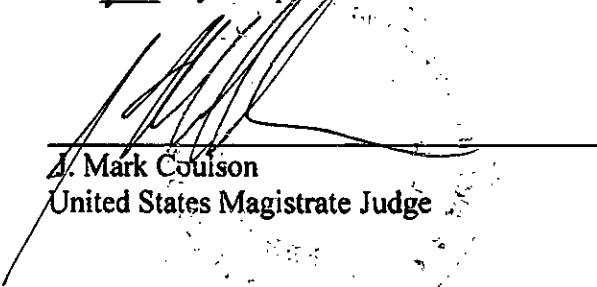
16. Additional surveillance video from March 26, 2015 at Nordstrom in Delaware shows two individuals matching the description of **KROMAH** and **MUSA** attempting to open a line of credit using the identity of MCS.

17. Based on the foregoing information, it is requested that an arrest warrant be issued for Alfred MUSA and Abubakah Chiko KROMAH for aggravated identity theft in violation of 18 U.S.C. § 1028A and access device fraud, in violation of 18 U.S.C. § 1029(a)(1), (2) and (5).

Further your affiant sayeth not.


John Van Wie
Special Agent, DHS

Subscribed and sworn before me
this 7 day of April 2015:


J. Mark Coulson
United States Magistrate Judge